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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/540,239	03/31/2000	Rick Dedrick	042390.P7956	1914

7590 10/12/2004
Blakely Sokoloff Taylor & Zafman LLP
7th floor
12400 Wilshire Boulevard
Los Angeles, CA 90025

EXAMINER

CUFF, MICHAEL A

ART UNIT	PAPER NUMBER
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3627

DATE MAILED: 10/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 9-7-04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required. **Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety); e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.** 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- | | | | |
|-------------------------------------|---|--------------------------|---|
| <input type="checkbox"/> | 1. Amendments to the specification: | <input type="checkbox"/> | 1. Amendments to the specification: |
| <input type="checkbox"/> | A. Amended paragraph(s) do not include markings. | <input type="checkbox"/> | A. Amended paragraph(s) do not include markings. |
| <input type="checkbox"/> | B. New paragraph(s) should not be underlined. | <input type="checkbox"/> | B. New paragraph(s) should not be underlined. |
| <input type="checkbox"/> | C. Other _____ | <input type="checkbox"/> | C. Other _____ |
| <input type="checkbox"/> | 2. Abstract: | <input type="checkbox"/> | 2. Abstract: |
| <input type="checkbox"/> | A. Not presented on a separate sheet. 37 CFR 1.72. | <input type="checkbox"/> | A. Not presented on a separate sheet. 37 CFR 1.72. |
| <input type="checkbox"/> | B. Other _____ | <input type="checkbox"/> | B. Other _____ |
| <input type="checkbox"/> | 3. Amendments to the drawings: | <input type="checkbox"/> | 3. Amendments to the drawings: |
| <input checked="" type="checkbox"/> | 4. Amendments to the claims: | <input type="checkbox"/> | 4. Amendments to the claims: |
| <input checked="" type="checkbox"/> | A. A complete listing of <u>all</u> of the claims is not present. | <input type="checkbox"/> | A. A complete listing of <u>all</u> of the claims is not present. |
| <input type="checkbox"/> | B. The listing of claims does not include the text of all pending claims (including withdrawn claims). | <input type="checkbox"/> | B. The listing of claims does not include the text of all pending claims (including withdrawn claims). |
| <input type="checkbox"/> | C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously pending), (New) and (Not entered). | <input type="checkbox"/> | C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously pending), (New) and (Not entered). |
| <input type="checkbox"/> | D. The claims of this amendment paper have not been presented in ascending numerical order. | <input type="checkbox"/> | D. The claims of this amendment paper have not been presented in ascending numerical order. |
| <input checked="" type="checkbox"/> | E. Other: <u>claim 2 is not present</u> | <input type="checkbox"/> | E. Other: _____ |

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at the amendment format: <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflver.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in the non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and **this ONE MONTH time limitation is not extendable.**

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and is a bona fide attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. **The period for response to a final rejection continues to run from the date set in the final rejection**, and is not affected by the non-compliant status of the amendment.

L. Ellis
Legal Instruments Examiner (LIE)

7306-0423
Telephone No.